

SENATE BILL No. 88

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-43-4-3.

Synopsis: Conversion of leased motor vehicles. Makes criminal conversion of a leased motor vehicle valued at more than \$5,000 a Class D felony under certain circumstances.

Effective: July 1, 2010.

Tallian, Bray

January 5, 2010, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

SENATE BILL No. 88

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-43-4-3, AS AMENDED BY P.L.143-2005,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2010]: Sec. 3. (a) A person who knowingly or intentionally
4 exerts unauthorized control over property of another person commits
5 criminal conversion, a Class A misdemeanor.

6 (b) The offense under subsection (a) is a Class D felony if
7 committed by a person who exerts unauthorized control over the motor
8 vehicle of another person with the intent to use the motor vehicle to
9 assist the person in the commission of a crime.

10 (c) The offense under subsection (a) is a Class C felony if:

11 (1) committed by a person who exerts unauthorized control over
12 the motor vehicle of another person; and

13 (2) the person uses the motor vehicle to assist the person in the
14 commission of a felony.

15 (d) The offense under subsection (a) is a Class D felony if:

16 (1) the person acquires the property by lease;

17 (2) the property is a motor vehicle valued at more than five



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1 thousand dollars (\$5,000);
2 (3) the person signs a written agreement to return the
3 property to a specified location within a specified time; and
4 (4) the person fails to return the property:
5 (A) within ten (10) days after the specified time; or
6 (B) within five (5) days after a written demand for return
7 of the property is either:
8 (i) personally served on the person; or
9 (ii) sent by registered mail to the person's address that is
10 provided by the person in the written agreement.

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